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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/763,832	06/18/2001	Katashi Nagao	450101-02581	3748

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NEW YORK, NY 10151

EXAMINER

AZAD, ABUL K

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 11/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/763,832

Applicant(s)

NAGAO, KATASHI

Examiner

ABUL K. AZAD

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-57 and 131-190 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-57 and 131-190 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2/26/01,09/25/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Election/Restrictions

1. Applicant's election without traverse of claims 1-56 and 131-190 in the reply filed on August 27, 2004 is acknowledged.
2. Claims 57-130 have been canceled.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 recites the limitation "the tag information" in line 2 of claim 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 recites the limitation "the tag information" in line 2 of claim 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "the attribute information" in line 3 of claim 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "the attribute information and the paragraph" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Similarly there is insufficient antecedent basis for similar limitations stated above, for the following claims: 12-16, 18, 20, 21, 26, 27, 30-33, 36, 39-43, 46, 48-50, 55 and 131-190.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-7, 9-13, 17-25, 27-31, 35-57, 131-138, 140-144, 148-157, 159-163 and 167-190 are rejected under 35 U.S.C. 102(e) as being anticipated by MacKenty et al. (US 6,088,675).

As per claim 1, MacKenty teaches, “an electronic document processing apparatus for processing an electronic document”, comprising:

“document inputting means fed with an electronic document” (col. 3, lines 25-34);

and

“speech read-out data generating means for generating speech read-out data for reading out by a speech synthesizer based on said electronic document” (col. 1, lines 9-12).

As per claim 2, MacKenty teaches, “wherein said speech read-out data generating means adds the tag information necessary for reading out in said speech synthesizer to said electronic document” (col. 4, line 45 to col. 5, line 3).

As per claim 3, Mackenty teaches, "wherein the tag information indicating the inner structure of said electronic document of a hierarchical structure having a plurality of elements is added to said electronic document" (col. 4, line 45 to col. 5, line 3).

As per claim 4, MacKenty teaches, "wherein the tag information indicating at least paragraphs, sentences and phrases, among a plurality of elements making up the electronic document, is added to the electronic document" (col. 8, lines 41-55); and

"wherein said speech read-out data generating means discriminates the paragraphs, sentences and phrases making up the electronic document based on the tag information indicating said paragraphs, sentences and phrases" (col. 8, lines 41-55).

As per claim 5, Mackenty teaches, "wherein the tag information necessary for reading out by said speech synthesizer is added to said electronic document" (col. 8, lines 56-64).

As per claim 6, MacKenty teaches, "wherein the tag information necessary for reading out by said speech synthesizer includes the attribute information for inhibiting the reading out" (col. 8, lines 41-64).

As per claim 7, MacKenty teaches, "wherein the tag information necessary for reading out by said speech synthesizer includes the attribute information indicating the pronunciation" (col. 8, lines 41-64).

As per claim 9, MacKenty teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the beginning positions of the paragraphs, sentences and phrases making up the electronic document to generate said speech read- out data" (col. 8, lines 41-64).

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As per claim 10, MacKenty teaches, "wherein if the attribute information representing a homologous syntactic structure among the attribute information specifying the beginning positions of the paragraphs, sentences and phrases appear in succession in said electronic document, said speech read-out data generation means unifies said attribute information appearing in succession into one attribute information" (col. 8, lines 41-64).

As per claim 11, MacKenty teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying pause periods in association with the attribute information specifying the beginning positions of the paragraphs, sentences and phrases to generate said speech read-out data" (col. 8, lines 41-64).

As per claim 12, MacKenty teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying a read-out inhibited portion to generate said speech read-out data" (col. 8, lines 41-64).

As per claim 13, MacKenty teaches, "wherein said speech read-out data generating means adds to said electronic document the attribute information specifying the correct reading or pronunciation to generate said speech read-out data" (col. 8, lines 41-64).

As per claim 17, MacKenty teaches, "document read-out means for reading said electronic document out based on said speech read-out data" (col. 8, lines 41-64).

As per claim 18, MacKenty teaches, "wherein said document read-out means locates in terms of paragraphs, sentences and phrases making up said electronic

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document as unit, based on the attribute information indicating the beginning positions of said paragraphs, sentences and phrases among plural elements" (col. 8, lines 41-64).

As per claims 19-25, 27-31, 35-57, 131-138, 140-144, 148-157, 159-163 and 167-190, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 1-7, 9-14 and 17-18.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 8, 14-16, 26, 32-34, 139, 145-147, 158 and 164-166 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mackenty et al. (US 6,088,675) as applied to claims 1, 19, 131 and 150 above, and further in view of Miyatake et al. (US 5,842,167).

As per claims 8 and 15, MacKenty does not explicitly teach, the attribute information specifying a language to generate speech read-out data. However, Miyatake teaches, the attribute information specifying a language to generate speech read-out data (col. 3, lines 14-23). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to use a language because one of ordinary skill in the art readily recognized that would provide a naturalistic synthesized speech output.

As per claims 14 and 16, MacKenty does not explicitly teach, specifying the read-out volume to generate speech read-out data. However, Miyatake teaches, specifying the read-out volume to generate speech read-out data (col. 4, lines 3-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to specify read-out volume because one ordinary skill in the art would readily recognized that would easily provide a listener better understanding of different sound for a different character in the text.

As per claims 26, 332-34, 139, 145-147, 158 and 164-166, they are interpreted and thus rejected for the same reasons set forth in the rejection of claims 8, 14-16.

Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Abul K. Azad** whose telephone number is **(703) 305-3838**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richemond Dorvil**, can be reached at **(703) 305-9645**.

Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

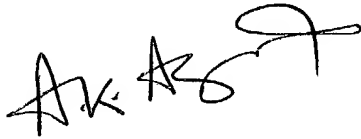
(703) 872-9314

(For informal or draft communications, please label "PROPOSED" or "DRAFT")

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Hand-delivered responses should be brought to 2121 Crystal Drive, Arlington,
VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should
be directed to the Technology Center's Customer Service Office at telephone number
(703) 306-0377.

A handwritten signature in black ink, appearing to read 'AK Azad', with a stylized flourish at the end.

Abul K. Azad

November 13, 2004